

**IN THE UNITED STATES DISTRICT COURT FOR THE
SOUTHERN DISTRICT OF ALABAMA
SOUTHERN DIVISION**

DAN J. QUALE,	:	
Plaintiff,	:	
v.	:	CIVIL ACTION NO. 09-0519-CG-M
UNIFUND CCR PARTNERS, et al.,	:	
Defendants.	:	

ORDER

After due and proper consideration of all portions of this file deemed relevant to the issue raised, and there having been no objections filed, the Report and Recommendation of the Magistrate Judge made under 28 U.S.C. § 636(b)(1)(B) is **ADOPTED** as the opinion of this Court. It is **ORDERED** that Defendant Unifund CCR Partners' Motion to Dismiss (Doc. 6) is **DENIED** as to Count One of the Complaint and **GRANTED** as to Counts Two and Three of the Complaint. It is further **ORDERED** that Counts Two and Three of the Complaint be and are hereby **DISMISSED** without prejudice as to Defendant Unifund CCR Partners.

DONE and ORDERED this 27th day of January, 2010.

/s/ Callie V. S. Granade
CHIEF UNITED STATES DISTRICT JUDGE